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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/633,855	08/04/2003	Hsieh Sheng-Bin	SOU-102US	5641

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EXAMINER

HANSEN, JAMES ORVILLE

ART UNIT	PAPER NUMBER
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3637

DATE MAILED: 06/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/633,855

Applicant(s)

SHENG-BIN, HSIEH

Examiner

James O. Hansen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 3-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In Claim 3, the phrase "wherein one set of the drawer" is unclear and confusing as presently set forth. Appropriate correction is required. Consequently, the remaining claims are rejected because they are dependent upon an indefinite claim.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3 & 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over British publication No. 1,099,582 [known hereafter as GB`582] in view of U.S. publication No. 6,203,198 [known hereafter as US`198] and in view of U.S. publication No. 3,675,981 [known hereafter as US`981]. GB`582 (figures 1-6) teaches of a cabinet of drawers comprising: a frame (fig. 1) having rigid sides (8) and at least one rigid divider (6), the at least one divider forming with the rigid sides a plurality of drawer-

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spaces (figs. 1-2) of fixed dimensions; and a plurality of erectable/collapsible soft storage drawers (figs. 3-4) dimensioned when erected to be substantially complementary to the drawer-spaces, each drawer including a body of flexible material (see spec), the body having a bottom, two first sidewalls, two second sidewalls, and a top opening defining an interior (all elements depicted in the figs). GB`582 teaches applicant's inventive claimed structure as disclosed above including each sidewall being attached with respect to an adjacent sidewall along a vertical edge and each sidewall is attached with respect to the bottom along a bottom edge wherein each drawer has an integral body of flexible material, and each drawer further including a handle (fig. 3 on element (15)); but GB`582 does not show the drawers as having wall boards embedded in the sidewalls, or show the drawers as having a removable hard bottom board seated within a respective drawer. US`198 (figures 1-15) teaches of a drawer structure (20) wherein the drawer structure includes fabric forming a shell that sheathes a frame, the shell including stiffening panels provided in pockets of the shell to provide rigidity to the structure. Accordingly, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the drawer structure of GB`582 so as to incorporate panels into the flexible sidewalls of the drawer structure as taught by US`198 because this arrangement would provide rigidity and strength to the flexible material used in forming the drawer structure while preserving it's lightweight attribute. US`981 (figures 1-5) teaches of a drawer structure (figs. 1-2) wherein the drawer structure includes a removable hard bottom board. Accordingly, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the drawer structure of GB`582 so as to incorporate a removable hard bottom board into the drawer structure as taught by

US`981 because this arrangement would provide rigidity and help to stabilize the flexible sidewalls when inserted into the interior of the drawer structure. As to the sidewall lengths in claim 2, it is viewed that varying the lengths of a structure would have involved a mere change in the sizing of a component. A change in size is generally recognized as being within the level of ordinary skill in the art.

5. Claims 4-9 & 14-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over GB`582 in view of US`198 & US`981, and further in view of U.S. publication No. 6,305,567 [known hereafter as US`567]. The prior art teaches applicant's inventive claimed structure as disclosed above including the drawer structure having fold lines in some of the side walls (see GB`582 – figs. 3-4), but the prior art does not show the fold lines as being orthogonal at the midpoint of the bottom edge. However, US`567 (figures 1-0) teaches of a drawer structure incorporating fold lines (132 – fig. 7) being orthogonal at the midpoint of a bottom edge for the purpose of aiding in the folding of the drawer structure. Accordingly, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the drawer structure of the prior art so as to incorporate a folding line at a midpoint of the sidewalls as taught by US`567 because this arrangement would allow the drawer structure to collapse inward upon itself as opposed to an outward folding of the sidewall elements (fig. 5 of GB`582) thereby reducing the space needed for storage of the collapsed member.

6. Claims 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over US`198 in view of US`567 & US`981. US`198 teaches of a collapsible soft storage bin comprising a body of flexible material (fabric e.g.) having a bottom and sidewalls and an open top, and utilizing stiffing panels embedded in the sidewalls to provide rigidity to the structure; but does not show the bin as having a removable hard bottom board

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seated within the interior of the bin or show a folding line in some of the side walls for folding these sidewalls into the interior of the bin body. US`567 is cited as showing the known use of a folding line in sidewalls so as to fold the sidewalls into the interior of a bin body. As such, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the drawer structure of the US`999 so as to incorporate a folding line at a midpoint of the sidewalls as taught by US`567 because this arrangement would allow the bin structure to collapse inward upon itself for storage purposes [as shown in US`198 (fig. 2) – just does not disclose an actual folding line). US`981 is cited as showing the known use of a removable hard bottom board for a bin. As such, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the drawer structure of US`999 so as to incorporate a removable hard bottom board into the bin structure as taught by US`981 because this arrangement would provide rigidity and help to stabilize the flexible sidewalls when inserted into the interior of the bin structure.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Allen, Wang, Johnson, Phirippidis, De Rosa, Cherrin, French publication 1053657 and German publication 3940550 describe flexible collapsible storage structures.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James O. Hansen whose telephone number is 703-305-7414. The examiner can normally be reached on Mon.-Fri. 8-4pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 703-308-2486. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



James O. Hansen  
Primary Examiner  
Art Unit 3637

JOH  
May 25, 2004